

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIERRA EVANS,

Plaintiff,

v.

GATEWAY RECOVERY ASSOCIATES, INC.,

Defendant.

Case No. 10-13135

Honorable John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

Plaintiff filed this action against Gateway Recovery Associates, Inc., alleging the following causes of action: Count I, numerous violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*; and Count II, numerous violations of the Michigan Occupational Code, Mich. Comp. Laws Ann. § 339.915.

Count I gives rise to federal question jurisdiction under 28 U.S.C. § 1331. The remainder of Plaintiff's Complaint alleges causes of action based solely on state law. In order to avoid jury confusion, the court will decline to exercise supplemental jurisdiction over the state law claims. *See* 28 U.S.C. § 1367(c); *United Mine Workers v. Gibbs*, 383 U.S. 715 (1966); and *Padilla v. City of Saginaw*, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, it is hereby **ORDERED** that Count II is **DISMISSED**.

Date: February 8, 2011

s/John Corbett O'Meara
United States District Judge

I hereby certify that on February 8, 2011, a copy of this order was served upon counsel of record using the ECF system.

s/John Corbett O'Meara
United States District Judge